

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7853

DANIEL RICHARD FORD, III,

Petitioner - Appellant,

versus

GENE M. JOHNSON, Director, Virginia Department
of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. James C. Cacheris, Senior
District Judge. (CA-02-1623-1)

Submitted: March 9, 2005

Decided: March 24, 2005

Before WILLIAMS, MOTZ, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Barbara Lynn Hartung, Richmond, Virginia, for Appellant. Donald
Eldridge Jeffrey, III, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA,
Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Daniel Richard Ford, III seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C. § 2254 (2000). We have independently reviewed the record and conclude on the reasoning of the district court that Ford has not made a substantial showing of the denial of a constitutional right. See Ford v. Johnson, No. CA-02-1623-1 (E.D. Va. Oct. 14, 2004). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED